

## About Ajamie LLP

Ajamie LLP is a litigation boutique founded on the belief that the pursuit of excellence is integral to the practice of law. The firm's lawyers are all seasoned litigators with first-chair trial experience. We have secured landmark awards and settlements, and have amassed an impressive record of positive outcomes – winning critical victories and over \$600 million in settlements and awards.

We advise in a wide range of litigation-related practice areas, including complex business litigation, antitrust and competition law, white collar crime, employment litigation, and international litigation and arbitration. Our firm has built a solid reputation for rendering blue-chip defense for companies of all sizes, and for providing cross-border representation in the most intricate of business litigation matters. We are lean and efficient, with the expertise and resources to represent clients worldwide – without hidden conflicts of interest.

Recognized as an elite go-to firm in securities litigation, the firm has successfully handled a number of high-profile cases, including representing companies, pension funds and shareholders seeking to recover losses in stock fraud cases, and corporations and officers and directors being sued in securities matters. Thomas Ajamie, Managing Partner, holds the distinction of winning the first- and third-largest securities arbitration awards in United States history.

## Representative Matters: Business Litigation

---

- Winning a record \$112 million jury award on a civil RICO Act claim on behalf of our Fortune 100 client against defendants who conspired to extort money from our client and tamper with trial witnesses. The jury's verdict was the largest RICO verdict in Texas history, and the third largest in the history of the United States.
- Recovering a multi-million dollar "clawback" for another Fortune 100 client in a case where the client's executive employees were hired away by a competitor. The departing executives had signed agreements in which they promised to pay back restricted stock and stock option awards that they received if they went to work for a competitor.
- Successfully defended our client, a major automobile parts manufacturer, in a consumer class action seeking hundreds of millions of dollars for costs of defective parts used in Ford vehicles.
- Successfully resolved a utility dispute for our client, a major manufacturer and marketer of petroleum products, including fuels, lubricants, and petrochemicals. The case involved the breach of a joint venture agreement for the joint payment of common services and utility costs. The resolution saved our client millions of dollars in costs.

**AJAMIE** | We work to win.™  
LLP  
Pennzoil Place - South Tower  
711 Louisiana, Suite 2150  
Houston, TX 77002  
713.860.1600 telephone  
713.860.1699 facsimile  
www.ajamie.com

- Defending a corporation against claims by one of its employees of sexual and racial discrimination.
- Collecting over \$500,000 for a company which lost that amount in its corporate money market fund when the national brokerage firm managing the fund invested the money in the short-term commercial paper of Pacific Gas and Electric Company.
- Defending at an injunction hearing a California company that was accused of misappropriation of confidential technical and business information and unfair competition.
- Representing an Illinois-based utility company in litigation against distressed bondholders seeking recovery following an \$80 million bond default for an electric power facility located outside of Chicago. This was the "eighth largest municipal bond default in the history of the municipal market," according to the Bond Investors Association.
- Winning a dismissal of all claims against a major utility company in an antitrust lawsuit alleging conspiracy to monopolize, tying, and a group boycott involving the Panhandle interstate gas pipeline system.
- Litigating the existence of an agreement to affiliate our client's television stations with the WB Television Network. We secured a favorable settlement in the context of the sale of our client's Houston station for \$95 million, an "incredibly high" price according to Variety, including payment of all our attorneys' fees.
- Defending a major pharmaceutical company in a \$68 million lawsuit claiming breach of contract, fraud, tortious interference, misappropriation of confidential information, and conspiracy to convert patent rights in connection with the company's alleged failure to invest in an agricultural equipment enterprise.
- Representing a major real estate developer in a lawsuit for breach of a lease agreement. We recovered \$500,000, which included the full amount due and all attorneys' fees.
- Representing a Houston-based health care company in litigation arising from the sale of a subsidiary. The subsidiary was placed in receivership and eventually bankruptcy. The client received the lion's share of the value of the subsidiary's assets.
- Representing an automotive parts supplier in a lawsuit against a major automobile manufacturer for misrepresentation and breach of contract, and negotiating a business resolution of the parties' dispute.

## Representative Matters: Securities / Finance

---

- Co-counsel in an ERISA class action alleging that plan fiduciaries breached their duties of loyalty and prudence by selecting and maintaining inappropriate Putnum mutual funds for the defendant company's 401(k) plan.
- Involved in the Chrysler, General Motors, Lehman Brothers and ASARCO bankruptcy proceedings.
- Winning a \$14.5 million arbitration award on behalf of a New York family against Prudential Equity Group over the course of 84 hearing sessions occurring at the New York Stock Exchange. According to The Wall Street Journal, the award is the third largest award to be handed out by an arbitration panel at the NYSE.
- Settling a lawsuit against two insurance agents, six insurance companies and a law firm for \$7.29 million after four days of trial in Galveston state court. The lawsuit alleged that the defendants negligently advised a 90-year-old widow and her 65-year-old son to sell their Berkshire Hathaway, Inc. stock and use the proceeds to purchase life insurance and annuities as part of an "estate tax plan."
- Winning a six-figure arbitration award for an elderly couple from East Texas whose life savings were diminished by their broker. Our claims against the Beaumont-based broker and his firm included unsuitability, negligence, failure to supervise, misrepresentation, breach of contract and breach of fiduciary duty.
- Negotiating a seven-figure settlement against a national stock brokerage firm for a married couple in Philadelphia whose life savings was lost when a broker churned their account and used their savings to buy speculative technology and internet stocks. We also made claims against the brokerage firm for failing to properly supervise its brokers and failing to notify the customers about the inappropriate handling of their account.
- Collecting over \$500,000 for a company who lost that amount in its corporate money market fund when the national brokerage firm managing the fund invested the money in the short-term commercial paper of Pacific Gas & Electric Company.
- Winning a \$429.5 million arbitration award, the largest in history, against a former PaineWebber broker. The Wall Street Journal noted that the size of the award was "roughly 10 times that of the next largest award." The United States Attorney's office criminally prosecuted one of the PaineWebber brokers involved in the fraud. That broker had worked in PaineWebber's New York headquarters office. The broker was sentenced to six and a half years in federal prison; he is currently serving that sentence.

- Winning the dismissal of 21 consolidated class action lawsuits filed in federal court against former officers of a NYSE-listed client alleging violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, and Rule 10b-5 thereunder.
- Winning an eight-figure settlement on behalf of several investors defrauded of over \$100 million by one of the United States' largest national brokerage firms.
- Successfully representing a pension fund in a lawsuit against a New York hedge fund after the hedge fund lost 30% of the funds with which it was entrusted.
- In the Enron litigation, representing one of the insurance companies that provided directors and officers insurance coverage.
- Successfully defending the second largest death care company against a \$4 billion hostile takeover bid by SCI, the death care industry's largest company. The case involved securities, tort, and antitrust litigation.
- Obtaining dismissal of an investor's claims arising from a default in payment of commercial paper issued by a foreign corporation.
- Recovering payment of suppliers' claims against companies that had filed for Chapter 11 bankruptcy through use of essential vendor and foreign vendor orders.

## **Representative Matters: Appellate**

---

- Prevailing in the Texas Supreme Court when the Court declined to grant an emergency mandamus petition filed by the defendant insurance company. Our clients sued the defendant insurance company in a \$10 million commercial fraud lawsuit. After two years of intense discovery, we were able to establish the personal involvement of the insurance company's CEO. After we convinced the trial judge to order the deposition of the insurance company's CEO, the defendant argued that the CEO was protected by the Crown Central apex doctrine. The defendant insurance company immediately filed a petition for writ of mandamus with the Texas Court of Appeals in Houston. After receiving our briefing, the Court of Appeals denied the Petition for Mandamus. The insurance company appealed to the Texas Supreme Court on an emergency basis. After receiving our briefs, the Texas Supreme Court ruled in our clients' favor and denied the petition for mandamus.
- Winning an appeal to the San Antonio Court of Appeals by obtaining a reversal of the trial court's denial of our motion to dismiss our client for lack of personal jurisdiction in a suit over a crash along the United States-Mexico border involving multiple deaths and personal injuries. The Court of Appeals concluded that our client, a foreign airline, did not have minimal contacts that allowed it to be subject to Texas jurisdiction. The Court of Appeals

ruled that the trial court abused its discretion and reversed and rendered, dismissing our client from Texas litigation.

- Successfully defended on appeal the trial court's granting of our motion to dismiss a Louisiana-based transportation company for lack of personal jurisdiction in Texas, where the defendant entered contracts and sent barges to Texas.
- Obtaining a reversal of a \$3.7 million judgment against a Fortune 500 utility company in the Texas Supreme Court in a case where the Court held that products liability law does not apply to cases where people contact overhead power lines.
- Advising a large death care company with appellate and securities issues after it lost a \$500 million jury verdict.

## Thomas R. Ajamie

### Managing Partner

Named one of the top lawyers in the United States, Tom Ajamie has successfully represented clients in complex commercial litigation and arbitration matters for more than 20 years. His work includes groundbreaking securities and financial cases, international cross-border litigation, business contract disputes and employment issues. He has traveled the world extensively working on legal matters in countries as diverse as China, Thailand, Indonesia, Switzerland, France, England, Mexico, Bolivia, Argentina and Venezuela. Mr. Ajamie has handled a number of high-profile cases, including representing companies, pension funds and shareholders seeking to recover losses in stock fraud cases, and corporations and officers and directors being sued in securities matters.



Mr. Ajamie has been recognized by numerous legal publications and directories, and was recently honored as one of the nation's 500 leading lawyers by *Lawdragon*, as well as that publication's "100 Lawyers You Need to Know in Securities Litigation." Mr. Ajamie has been named one of Houston's Top Lawyers (*H Texas* magazine), and has been selected by *Texas Super Lawyers* as one of the top attorneys in Texas for four years running. The Martindale-Hubbell law directory, which ranks the legal ability of lawyers, gave Mr. Ajamie an AV rating. He is also a life member of the Multi-Million Dollar Advocates Forum, whose membership is limited to attorneys who have won multi-million dollar verdicts, awards and settlements – less than 1% of U.S. attorneys.

In August 2010, Mr. Ajamie and his co-author, *InvestmentNews* editor Bruce Kelly, released *Financial Serial Killers: Inside the World of Wall Street Money Hustlers, Swindlers, and Con Men*, a fascinating look at financial fraudsters, their schemes, and their victims. He has appeared on major television and radio news outlets, including ABC, CNN, FOX News, CNBC, NPR and BBC, and has been featured in *The Wall Street Journal*, *The New York Times*, *American Lawyer*, *InvestmentNews*, *Bloomberg*, *Forbes*, *Financial Times*, *BusinessWeek*, *Newsweek* and *Texas Lawyer*, among others. His work on behalf of investors in the Bre-X gold scandal is featured in the book *Fools' Gold: the Making of a Global Market Fraud*, by Brian Hutchinson.

The Ajamie Foundation was created by Mr. Ajamie as a way of promoting tolerance and equality among our youth. The foundation offers scholarships to students who display respect and support diversity initiatives in our society, without regard to race, religion, creed, skin color, national or ethnic origin, sex, age, disability or sexual orientation. The foundation currently finances student scholarships at Arizona State University.

In addition to his charitable work, Mr. Ajamie is a Patron Council Premier Benefactor of the Sundance Institute, a non-profit organization that supports independent films and theater programs.

**AJAMIE** | We work to win.<sup>®</sup>  
LLP  
Pennzoil Place - South Tower  
711 Louisiana, Suite 2150  
Houston, TX 77002  
713.860.1600 telephone  
713.860.1699 facsimile  
[www.ajamie.com](http://www.ajamie.com)

## Representative Matters

- Won a \$112,119,005 jury verdict after a three-week trial in a case brought under civil RICO against defendants who conspired to extort money from our corporate client and then tamper with trial witnesses.
- Co-counsel in an ERISA class action alleging that plan fiduciaries breached their duties of loyalty and prudence by selecting and maintaining inappropriate Putnum mutual funds for the defendant company's 401(k) plan.
- Involved in the Chrysler, General Motors, Lehman Brothers and ASARCO bankruptcy proceedings.
- Won a \$14.5 million arbitration award on behalf of a New York family against Prudential Equity Group. The award was obtained following 84 hearing sessions at the New York Stock Exchange (NYSE). *The Wall Street Journal* stated that this award was the third largest award to be handed out by an arbitration panel at the NYSE.
- Represented the Mexican subsidiary of an international corporation in the illegal arrests of the corporation's employees in Mexico following a dispute concerning an alleged breach of contract. The representation involved complex cross-border matters in the U.S. and Mexico.
- Settled a lawsuit against two insurance agents, six insurance companies and a law firm for \$7.29 million after four days of trial in Galveston state court. The lawsuit alleged that the defendants negligently advised a 90-year-old widow and her 65-year-old son to sell their Berkshire Hathaway, Inc. stock and use the proceeds to purchase life insurance and annuities as part of an "estate tax plan."
- Won a \$429.5 million arbitration award, the largest in history, against a former PaineWebber broker. *The Wall Street Journal* noted that the size of the award was "roughly 10 times that of the next largest award." One of the brokers involved in the fraud was convicted and served six and a half years in federal prison.
- Won an eight-figure settlement on behalf of several investors defrauded of over \$100 million by one of the United States' largest national brokerage firms.
- Successfully represented a pension fund in a lawsuit against a New York hedge fund after the hedge fund lost 30% of the funds with which it was entrusted.
- In the Enron litigation, represented one of the insurance companies that provided directors and officers insurance coverage.
- Represented a Hong Kong businessman concerning a dispute over the mishandling of his investments with Goldman Sachs.
- Represented an Illinois-based utility company in litigation against distressed bondholders seeking recovery following an \$80 million bond default for an electric power facility located outside of Chicago. At the time, this was the "eighth largest



municipal bond default in the history of the municipal market," according to the Bond Investors Association.

- Won a dismissal of all claims against a major utility company in connection with the Panhandle interstate gas pipeline system in an antitrust lawsuit alleging conspiracy to monopolize, tying and a group boycott.
- Litigated an agreement to affiliate a client's television stations with the WB Television Network.
- Secured a favorable settlement, including the sale of the client's Houston station for \$95 million — an "incredibly high" price, according to *Variety*.
- Won the dismissal of 21 consolidated class action lawsuits filed in federal court against former officers of a NYSE-listed client alleging violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, and Rule 10b-5.
- Successfully defended the second largest funeral and cemetery services company against a \$4 billion hostile takeover bid by SCI, that industry's largest company. The case involved securities, tort and antitrust litigation.

## **Publications, Speeches and Presentations**

- "Thinking Like a Plaintiff" Corporate Counsel's 7th Annual General Counsel West Coast Conference (2009).
- "Regulation D, TICs, and Unlisted REITS" Public Investors Arbitration Bar Association (PIABA) 18th Annual Meeting (2009).
- "Doing Ethical Business in Europe: Are You Ready for Multi-Cultural Legal Operations?" Corporate Counsel's 21st Annual General Counsel Conference (2009).
- "La Seguridad Empresarial - Cómo Evitar que un Pleito de Negocios Resulte en Cargos Criminales" ("Business Security: How to Prevent a Business Dispute from Resulting in Criminal Charges"), American Chamber of Commerce of México: Reunión del Comité de Seguridad (2008).
- "Surviving and Succeeding Under the Media Spotlight," AEGIS Policyholder Conference Roundtable Program: "Success Through Utilizing AEGIS' Gas & Electric Litigation Services" (2008).
- "Representing the Hedge Fund Investor," Trial Magazine (2007).
- "Getting Grandma's Nest Egg Back," The Association of Trial Lawyers of America (ATLA) Business Torts Section Newsletter (2006).
- "Litigating Insurance Product Claims," The American Association for Justice (AAJ) 2006 Annual Convention.
- "A Basic Primer on Hedge Funds," AAJ 2006 Annual Convention.



- "A Mock Arbitration: As Close as You Can Get," Securities Industry Association (SIA)/Wharton Securities Industry Institute 54th Annual Program (2006).
- "Insurance Industry Issues," Public Investors Arbitration Bar Association (2005).
- "A Look at the Securities Arbitration Process," ATLA Business Torts Section Newsletter (2005).
- "Mock Arbitration," SIA/Wharton Securities Industry Institute 53rd Annual Program (2005).
- "Demonstrative Evidence: Making an Effective Presentation on a Budget," University of Houston Law Foundation, Litigation and Trial Tactics (2004).
- "Securities Fraud, Market Abuses and Insider Trading," University of Houston Law Foundation, Advanced Business Litigation (2003).
- "Securities Fraud and Insider Trading," South Texas College of Law (2003).
- "Nuevas Responsabilidades Legales de los Fabricantes de Autopartes en el Mercado Norteamericano." Industria Nacional de Autopartes, A.C., XXXIX Reunión de Evaluación del Sector Automotor (2003).
- "Stock Fraud: Evaluating the Case," University of Houston Law Foundation Advanced Business Litigation (2002).
- "Shareholder Litigation and Officer/Director Liability Post-Sarbanes-Oxley," University of Houston Law Foundation, Representing Corporations in a Changed Legal Environment (2002).

## **Education and Experience**

Ajamie LLP, Houston, Managing Partner (1997-present)  
 Baker Botts, LLP, Houston (1985-1997)  
 University of Notre Dame Law School, J.D., 1985 (London Law Programme, 1983-1984)  
 Arizona State University, B.A., cum laude, 1982 (Student Body President, 1980-1981)  
 University of Louvain, Belgium

## **Memberships and Affiliations**

College of the State Bar of Texas  
 International, American, Texas & Houston Bar Associations  
 American Association for Justice; Co-Chair, Investment Fraud Committee (2006)  
 Public Investors Arbitration Bar Association  
 Multi-Million Dollar Advocates Forum - Life Member  
 Premier Benefactor, The Sundance Institute  
 Board of Trustees, Houston Grand Opera  
 Patron, Museum of Fine Arts, Houston and Boston

**AJAMIE** LLP | We work to win.®  
 Pennzoil Place - South Tower  
 711 Louisiana, Suite 2150  
 Houston, TX 77002  
 713.860.1600 telephone  
 713.860.1699 facsimile  
[www.ajamie.com](http://www.ajamie.com)

## Distinctions

500 Leading Lawyers in America (*Lawdragon*, 2008-2010)  
Texas Super Lawyer (*Texas Super Lawyers* and *Texas Monthly*, 2006-2009)  
Top Lawyers in Business Litigation (*H Texas*, 2008-2010)  
Top 100 Lawyers You Need to Know in Securities Litigation (*Lawdragon*, 2008)

## **Dona Szak**

### **Partner**

Ms. Szak represents clients in business and commercial matters. She has taken cases through all stages of litigation: pre-lawsuit investigation, trial, appeal, and judgment collection. She has designed and implemented strategies for resolving complex commercial problems. By conducting preventive counseling, she has helped her clients achieve favorable resolutions to their business controversies, often without the necessity of filing or defending lawsuits.



### **Representative Matters**

- Advised a foreign corporation on its obligations under United States law, including antitrust law, arising from transactions with United States businesses.
- Recovered investment losses sustained by a corporation and its pension fund resulting from a hedge fund's collapse.
- Represented an automotive parts supplier in a lawsuit against a major automobile manufacturer for misrepresentation and breach of contract. Negotiated a business resolution of the parties' dispute.
- Obtained dismissal for want of personal jurisdiction in several actions brought against non-resident companies.
- Obtained dismissal of claims that the firm's client breached a contract to sell shares of corporate stock.
- Obtained dismissal of an investor's claims arising from a default in payment of commercial paper issued by a foreign corporation.
- Recovered payment of suppliers' claims against companies that had filed for Chapter 11 bankruptcy through use of essential vendor and foreign vendor orders.
- Recovered damages owed due to supplier's delivery of substandard raw materials.
- Defended a professional sports figure against a former assistant's claims for breach of contract and harassment.
- Prepared contracts, settled contract disputes and resolved sales issues arising under the Uniform Commercial Code and the United Nations Convention on Contracts for the International Sale of Goods.

- Represented creditors in bankruptcy proceedings.
- Resolved claims involving allegations of environmental contamination, property devaluation and toxic releases.
- Represented clients before state and federal regulatory agencies.

## **Education and Experience**

Ajamie LLP (2004-present, Partner 2007-present)  
ChevronTexaco, Senior Counsel (1989-2002)  
Ross, Banks, May, Cron & Cavin, PC (1985-1989)  
Intern - Department of Justice, Antitrust Division  
Washington & Lee University, J.D., cum laude, 1984 (Editor, *Washington & Lee Law Review*)  
University of Houston Law Center, L.L.M. Taxation, 2005  
University of Illinois, B.A., Economics, 1980  
University of Edinburgh, Scotland 1979-1980

## **Memberships and Affiliations**

State Bar of Texas  
American Bar Association  
Houston Bar Association  
Turnaround Management Association

## Ann Ryan Robertson

### Associate

Ann Ryan Robertson's principal areas of practice include international and domestic arbitration, federal and state civil trials and appeals, breach of contract, securities regulation, business torts, partnerships, personal and subject matter jurisdiction, and Uniform Commercial Code. She is a seasoned litigator with nearly 30 years of trial and appellate experience.

Ms. Robertson has represented clients in federal and state courts across the country. Her experience spans a number of industries, among them banking and finance, insurance, oil and gas, manufacturing, real estate and automotive.



Well-versed in the intricacies of international arbitration, Ms. Roberson serves as a member of the U.S. delegation to the NAFTA Advisory Committee on Private Commercial Disputes, the International Chamber of Commerce (ICC) Commission on Arbitration and Chair of the North American Branch of the Chartered Institute of Arbitrators. She is highly regarded in the legal profession, most recently being named one of only 30 Extraordinary Women in Texas Law by *Texas Lawyer*, and a Texas Super Lawyer by *Law & Politics*.

### Representative Matters

- Co-counsel in an ERISA class action alleging that plan fiduciaries breached their duties of loyalty and prudence by selecting and maintaining inappropriate Putnum mutual funds for the defendant company's 401(k) plan.
- Defended a major Swedish company and three of its domestic subsidiaries in a \$48 million contract dispute with a Norwegian national and a British Virgin Islands company. She obtained dismissal of the entire case, which was then appealed. After remand by the Fifth Circuit, she filed a petition for writ of certiorari to the Supreme Court. The Supreme Court granted certiorari and remanded the case to the Fifth Circuit, which affirmed the District Court's decision in its entirety.
- At the trial and appellate level, successfully defended an African oil company in a \$100 million suit.
- Obtained a take nothing judgment for an independent exploration company in a gas-balancing dispute. The verdict was affirmed on appeal.
- Represented a major oil company in a \$50 million lawsuit involving claim of property damage from Hurricane Alicia. Negotiated a settlement of the suit. Subsequently represented the client's insurer against the subcontractor and obtained a favorable settlement.
- Won a \$2 million settlement for an independent oilman in a lawsuit for breach of contract brought by a California power company. Filed a counterclaim alleging numerous business torts, resulting in the favorable settlement.

- Represented a trustee in a bankruptcy proceeding involving more than \$20 million of oil and gas properties. The properties were transferred back to bankruptcy estate.
- Obtained summary judgment for a major New York insurance company in a \$25 million lawsuit claiming that the insurance company was liable for an agent's alleged fraud.
- Successfully defended a major New York insurance company in a \$25 million lawsuit brought by one of the nation's largest banks. The suit alleged fraudulent transfer and fraud. Obtained a dismissal based on failure to state a claim.
- Obtained summary judgment for a "Big Four" accounting firm headquartered in New York in a \$20 million lawsuit. The lawsuit alleged that a diagnostic review was erroneous, and that the firm had engaged in a civil conspiracy. The suit also alleged that the client was a co-conspirator.
- Represented one of the nation's largest fertilizer companies, headquartered in Illinois, in a lawsuit arising from a plant explosion. Plaintiffs sought \$250 million in actual damages, plus punitive damages for wrongful death, personal injury, and property damage. After settlement was ultimately reached, served as special counsel to an English barrister in a London arbitration involving a coverage dispute with the client's excess insurance carrier.
- Successfully defended a well-known real estate developer in a case brought by three plaintiffs alleging fraud in a real estate transaction.
- Defended a major savings and loan in a multi-defendant case alleging fraud in a real estate transaction. Client was non-suited during trial.
- Recovered a more than \$2 million judgment for a large bank on a counterclaim in a lender liability lawsuit.
- Successfully defended a Colorado bank in a suit for unpaid invoices. Counterclaimed for usury. Recovered penalty judgment for the bank.
- Represented one of the nation's largest grocery suppliers in a more than \$2 million contract claim. Obtained a judgment in the client's favor.
- Advised a major bank on a question of first impression. Obtained a favorable ruling and mandatory injunction requiring a judgment to be released. Successfully defended the court's order on appeal.
- Represented an insurance company headquartered in Massachusetts in a lawsuit brought by a former agent seeking hundreds of thousands of dollars in commissions. Settlement reached during trial.
- Successfully defended one of Houston's oldest car dealerships against claims brought pursuant to the Texas Deceptive Trade Practices-Consumer Protection Act. Obtained a take nothing judgment.
- Successfully defended a Texas Partnership and its two partners in a class action securities fraud case brought in a California state court. Filed a challenge to personal jurisdiction on behalf of partners. Prevailed on appeal in a case of first impression. Subsequently settled the claim against the partnership for nuisance value.

## Publications, Speeches and Presentations

- Faculty, 21st Annual Institute for Transnational Arbitration (June 2010)
- Speaker, "Four Top Errors to Avoid When Drafting a Reasoned Arbitration Award," American Bar Association (ABA) Dispute Resolution Section's Annual Meeting (April 2010)
- Co-Author, "Changes for the Better? Knowing the Arbitration Rules," The Resolver, News from the Chartered Institute of Arbitrators (March 2010)
- Observer, United Nations Commission on International Trade Law (UNCITRAL), Working Group II (Arbitration and Conciliation), Fifty-second session, Revision of the UNCITRAL Arbitration Rules (February 2010)
- Keynote Speaker, "Arbitration Fairness Act of 2009," The International Law Section of the State Bar of California's Fourth Annual Arbitration Conference (October 2009)
- Moderator, "Navigating the Waters of Recent Federal Arbitration Legislation," Center for Conflict Prevention & Resolution (CPR) Annual Meeting (2009)
- Author, "The Arbitration Fairness Act of 2009," Alternative Resolutions, State Bar of Texas Alternative Dispute Resolution Section, Vol. 19, No. 1 (Fall 2009)
- Author, "The Arbitration Fairness Acts of 2009: The United States Anti-Arbitration Bills," Asian Dispute Review, Published by the Hong Kong International Arbitration Centre (July 2009)
- Author, "International Commercial Arbitration and the Arbitration Fairness Acts of 2009," Texas Transnational Law Quarterly, Vol. 22, No. 3 (June 2009)
- Co-Author, "The Law on Overturning Arbitration Awards for Partiality is Confused," Commercial & Business Litigation, American Bar Association, Section of Litigation, Vol. 10, No. 3 (Spring 2009)
- Author, "Manifest Disregard of the Law – Unsettled Waters," The Resolver, News from the Chartered Institute of Arbitrators (May 2009)
- Speaker, "Arbitration Fairness Act of 2009," East Asia Branch of the Chartered Institute of Arbitrators, Hong Kong (March 2009)
- Author, "Fifth Circuit Holds Lawsuit was an Improper Collateral Attack on a Foreign Award," Newsletter of the Arbitration Committee of the International Bar Association (September 2008)
- Speaker, "Techniques for Controlling Time and Costs in International Commercial Arbitration," ICC Conference on International Construction Contracts and the Resolution of Disputes (June 2008)
- Author, "Evident Partiality Based on Nondisclosure: Betwixt and Between," Texas Transnational Law Quarterly, Vol. 21, No. 2 (March 2008)
- Author, "Fifth Circuit Reexamines Standard For Finding 'Evident Partiality' Under The Federal Arbitration Act," Newsletter of Alternative Resolutions, State Bar of Texas Alternative Dispute Resolution Section, Vol. 16 No. 1 (Winter 2007)
- Author, "International Arbitration in the U.S.: Evident Partiality Based on Nondisclosure," The Houston Lawyer, Vol. 45, No. 2 (September/October 2007)
- Author, "Fifth Circuit Rejects Challenge to Large Arbitral Award in Apache Bohai Corporation LDC v. Texaco China BV," Newsletter of Alternative Dispute Resolutions, State Bar of Texas Alternative Dispute Resolution Section, Vol. 15, No. 2 (Spring 2007)
- Speaker, "Jurisdiction and the Internet," National Association of Women Judges' Conference (October 2005)
- Panelist, "Advanced Skills for Resolving International Cases," American Bar Association (ABA) Alternate Dispute Resolutions Section's Annual Meeting (2004)



- Moderator, "Independence and Impartiality of International Arbitrators," ABA Alternate Dispute Resolution Section's Annual Meeting (2003)
- Speaker, "Jurisdiction and the Internet: The U.S. Perspective," International Bar Association (IBA) World Women Lawyers' Conference (2001)
- Author, "Hague Convention on Jurisdiction and Judgments," Newsletter of Committee 12 (Civil Litigation) of the IBA (August 2001)
- Speaker, "Cultural Do's and Taboos in International Business Transactions," IBA Annual Meeting (2000)
- Author, "First Circuit Creates New Jurisdictional Test for Foreign Defendant," Newsletter of Committee 12 (Civil Litigation) of the IBA (July 2000).

## Distinctions

- 2009 *Texas Super Lawyers*
- "Extraordinary Woman in Texas Law" by *Texas Lawyer* (May 2008)

## Education

University of Houston Law Center, LL.M. International Economic Law, 2005

University of Houston Law Center, J.D., 1977 (Order of the Barons)

University of Houston, B.A., English, 1972

## Memberships and Affiliations

- United States Member, NAFTA Advisory Committee on Private Commercial Disputes (appointed by U.S. Department of State)
- United States Member, ICC Commission on Arbitration (by appointment)
- Fellow, Chartered Institute of Arbitrators
- Chair, North American Branch of the Chartered Institute of Arbitrators
- Houston International Arbitration Club (by invitation)
- Founding Member, ArbitralWomen
- Lecturer, "International Litigation in U.S. Courts," Academy of American and International Law (formerly Southwest Legal Foundation) (2002-2006)
- Coach, University of Houston Law Center Willem C. Vis International Commercial Arbitration Moot Competition (2002-present)
- Advisory Board, Institute for Transnational Arbitration
- Member, International Dispute Resolution, State Bar of Texas ADR Section
- Member, College of the State Bar of Texas
- Advisory Board, International Conflict Resolution, Frank Evans Center for Conflict Resolution
- Chair, Vice-Chair, Secretary/Treasurer and Treasurer, Federal Practice Section of Houston Bar Association (1997-2001)
- Invitee, Fifth Circuit Court of Appeals Judiciary Conference, New Orleans, Louisiana (1998) and Houston, Texas (1999)
- Invited Judge, ICC/ABA Inaugural International Mediation Moot, Paris (January 2006)
- Executive Board, University of Houston Law Center Alumni Association (2004-2010)
- Co-Chair, University of Houston Law Center Global Law Alumni Initiative Houston Bar Association

## Jason A. Braun

### Associate

Named as one of Houston's top lawyers, Jason Braun's principal areas of practice include business, fraud, and financial litigation; insurance coverage and construction litigation; and commercial and securities arbitration.

Mr. Braun frequently counsels individuals and corporations on effective legal strategies in commercial litigation involving a variety of claims, such as breach of contract, breach of fiduciary duty and fraud. He has experience in multi-jurisdictional litigation involving international litigants and cross-border issues.

As a skilled litigator, Mr. Braun has represented both publicly and privately held companies before state and federal courts. He has appeared before the American Arbitration Association, Financial Industry Regulatory Authority and Judicial Arbitration & Mediation Services (JAMS).



### Representative Matters

- Won arbitration award of over \$7 million in damages, attorneys' fees, and pre- and post-judgment interest in a three week arbitration of claims for the distribution of partnership units.
- Currently representing investors who lost money in the Bernie Madoff Ponzi scheme.
- Currently representing investors with regard to the financial fraud allegations at Stanford International Bank.
- Represented individual and corporate claimants before the NASD and FINRA.
- Represented a Fortune 50 corporation in multiple securities arbitrations before the NASD and NYSE.
- Represented a leading private correction facility company in a lawsuit filed against a Fortune 50 corporation. The lawsuit sought a multi-million dollar recovery for breach of contract, breach of fiduciary duty and fraud.
- Advised a Brazilian national in a lawsuit filed against a global insurance company. The case involved complex cross-border issues.
- Successfully defended a client in a breach of contract action, obtaining a take nothing judgment after a trial on merits.
- Obtained a jury verdict in favor of a major car rental company in a lawsuit arising from a landlord/tenant dispute.

## **Publications, Speeches and Presentations**

- "Walk a Mile in My Boots: Benefiting the Client Through Effective Communication Among Partners and Associates," Houston Bar Association CLE Program (July 2010)
- "Starting Out Right" Young Lawyers Committee of the Bankruptcy Section of the State Bar of Texas (January 2010)
- "Regulation D, TICs, and Unlisted REITS" Public Investors Arbitration Bar Association (PIABA) 18th Annual Meeting (2009)
- "Commentary: Tough Love for New Associates," Texas Lawyer (August 2009)

## **Education and Experience**

Associate, Haynes and Boone (2003-2005)  
Creighton University School of Law, J.D. summa cum laude, 2003  
Assistant Editor, Creighton Law Review  
Wayne State College, B.S., with honors, 2000

## **Memberships and Affiliations**

State Bar of Texas  
Houston Bar Association  
Public Investors Arbitration Bar Association  
Trustee, Political Action Committee,  
Associated Builders and Contractors of Greater Houston

## **John W. Clay**

### **Associate**

John Clay has a diverse legal practice advising individuals and multi-national corporations on a number of legal matters. His work experience encompasses numerous areas of litigation and arbitration, including commercial litigation, cross-border proceedings, insurance coverage disputes, transportation liability, employment litigation, and personal injury prosecution and defense.

As a skilled litigator, Mr. Clay has represented clients at both the state and federal court level. His proficiency in constitutional, statutory and common law claims and defenses has enabled him to successfully represent clients in jury and bench trials, evidentiary hearings and appeals. His experience extends to cross-border commercial litigation, including representation of Mexican corporations and Brazilian plaintiffs in state and federal court proceedings. He has also argued a number of appeals.

Mr. Clay served as a law clerk for the United States Court of Appeals for the Fifth Circuit and a task force staff attorney for the First Court of Appeals in Houston.



### **Representative Matters**

#### **Business Litigation**

- Won a \$112,119,005 jury verdict (including prejudgment interest) after a three-week trial in a case brought under civil RICO against defendants who conspired to extort money from our corporate client and then tamper with trial witnesses.
- Successfully defeated claim for \$2.8 million in attorneys' fees in a cross-border dispute, resulting in no recovery of fees by opposing party.
- Won arbitration award of over \$7 million in damages, attorneys' fees, and pre- and post-judgment interest in a three week arbitration of claims for the distribution of partnership units.
- Won a jury verdict of more than \$5 million for a manufacturer in a trial involving product defect claims.
- Represented an energy trading company and an energy provider in a lawsuit for economic loss and extensive physical damage arising from a fire at an LNG plant, resulting in a substantial settlement for the clients.
- Successfully represented the owner of an oil and gas mineral interest in litigation with a joint operator.
- Represented Mexican shipping company in contractual dispute involving antitrust allegations, resulting in favorable renegotiation of contractual terms for the client.

- Obtained summary judgment on all claims against a transportation company in connection with a multiple fatality accident.
- Successfully represented a manufacturing company in an appeal from the personal injury claim of an employee of a staffing company.
- Represented commercial litigants in multiple mandamus proceedings.
- Represented employers in multiple proceedings resulting in favorable administrative decisions.

### **Transactional Matters**

- Completed complex risk assessments and choice of law analyses for the board of directors of a major corporation, involving a transaction in excess of \$1 billion.
- Evaluated SEC disclosure obligations for executive compensation plans.
- Conducted risk assessments for corporations in connection with work-related fatalities and alleged premises defects.
- Performed due diligence background investigations for executive officers.
- Assisted corporations in compliance with:
  - SEC reporting regulations;
  - State securities regulations; and
  - Gaming industry regulations.
- Performed coverage analyses for excess coverage carriers in disputes involving toxic tort claims.
- Represented surgeon in connection with redemption of partnership shares in hospital center partnership.

### **Education and Experience**

Task-Force Staff Attorney for the Honorable F. Lee Duggan, Jr.,  
 First Court of Appeals, District of Texas (1999-2001)  
 Associate, Baker Botts LLP (1997-1999)  
 Clerk to Chief Justice Edith H. Jones, U.S. Court of Appeals, Fifth Circuit (1996-1997)  
 Holy Cross, Brookline, Mass., graduate studies in theology (2002-2003)  
 University of Houston, J.D. cum laude, 1996  
 Note & Comment Editor, University of Houston Law Review  
 Order of the Barons  
 Rice University, B.A. in Classical Studies, 1993  
 National Merit Finalist

### **Memberships and Affiliations**

State Bar of Texas  
 Southern District of Texas  
 United States Court of Appeals, Fifth Circuit  
 Houston Bar Association, Appellate Section

**AJAMIE** | We work to win.<sup>®</sup>  
LLP  
 Pennzoil Place - South Tower  
 711 Louisiana, Suite 2150  
 Houston, TX 77002  
 713.860.1600 telephone  
 713.860.1699 facsimile  
[www.ajamie.com](http://www.ajamie.com)

## C. David Mee

### Associate

David Mee litigates securities, commercial, personal injury, and toxic tort claims. He has represented clients in both state and federal trial and appellate courts. He has appeared before the New York Stock Exchange, National Association of Securities Dealers, and Financial Industry Regulatory Authority arbitration panels, as well as in administrative proceedings and international forums.

Mr. Mee has experience representing clients in cross-border lawsuits, including international depositions and related discovery. He has mediated or settled more than 500 disputes to date. He currently serves as an arbitrator in the Houston Bar Association's Fee Dispute program.

Mr. Mee is active in the community. He frequently speaks to community groups and schools about legal matters, and is involved with youth sports and charitable organizations.



### Representative Matters

#### Business Litigation

- Won a \$112,119,005 jury verdict (including prejudgment interest) after a three-week trial in a case brought under civil RICO against defendants who conspired to extort money from our corporate client and then tamper with trial witnesses.
- Successfully defeated claim for \$2.8 million in attorneys' fees in a cross-border dispute, resulting in no recovery of fees by opposing party.
- Successfully defeated a request for an injunction and claim for damages in excess of \$400 million.
- Negotiated favorable settlements in multiple Texas Deceptive Trade Practices-Consumer Protection Act claims against automobile dealerships and repair facilities.
- Represented a borrower in a case of first impression under Article 16 of the Texas Constitution allowing for homeowners' equity loans. After proving that the lender issued the loan in violation of the statute, he successfully negotiated full extinguishment of the client's debt and obtained additional monetary compensation from the lender.
- Successfully prosecuted a breach of contract lawsuit on behalf of a Mexican construction company defrauded by a Harris County supplier.
- Represented and resolved a case of clear liability on terms that allowed the client, a North Texas construction company, to avoid bankruptcy and continue operations.
- Secured the contested domain name rights for a major Texas law firm.

## **Personal Injury Litigation**

- Defended more than 250 personal injury cases in 30 Texas counties. He obtained full dismissals of multiple lawsuits due to improper direct action pleadings. In other cases, he negotiated settlements within policy limits, many with no payment and none in excess of policy limits.
- Negotiated the settlement of an insured's wrong-way collision for less than policy limits in a case with significant exposure.
- Obtained a full policy limits settlement for the wrongful death of a pedestrian struck by a motor vehicle in limited lighting circumstances.
- Negotiated a settlement 10 times the injured client's actual medical bills in a case involving a motor carrier accident.
- Successfully handled the mediation of a medical malpractice claim stemming from the death of a mother due to negligent administration of anesthesia during a voluntary caesarian.
- Negotiated a confidential settlement with a day care center for an employee's physical assault of a toddler.
- Represented claimants in over 300 asbestos matters, many leading to settlements in excess of \$100,000.

## **Securities Arbitration**

- Prevailed in arbitrations against six of the largest brokerage houses in the United States.
- Won an arbitration award for a disabled investor who was the victim of a broker's unsuitable recommendations, despite the fact that the investor made an overall profit in his account.
- Successfully nullified a non-solicitation letter based on the client's lack of sophistication in selecting securities.

## **Pro-Bono**

- Won full Social Security disability benefits, including three years of retroactive benefits, for an honorably-discharged veteran.

## **Education and Experience**

Mediation training - University of Houston Law Center  
Internship - Sean Hughes MP, House of Commons, United Kingdom (1988)  
University of Houston Law Center, J.D., 1998  
Austin College, B.A., 1989  
London School of Economics and Kings College, 1989



## **Memberships and Affiliations**

College of the State Bar of Texas  
State Bar of Texas  
Houston Bar Association  
Texas Center for Legal Ethics and Professionalism  
American Association for Justice  
Public Investors Arbitration Bar Association  
National Association of Criminal Defense Lawyers  
Texas Criminal Defense Lawyers Association  
Houston Bar Association, Volunteer Fee Dispute Committee  
Houston Bar Association, Volunteer Members Speakers Bureau  
Houston Veterans Outreach Project  
University of Houston Alumni Organization, Life Member  
Century Club - Austin College  
Vestry for Trinity Episcopal Church of Houston  
Coach, Youth Sports and Cub Scouts  
NITA Trained Advocate

## David S. Siegel

### Associate

David Siegel has helped thousands of people obtain redress through our court system. He has nearly 20 years of experience advising businesses and individuals in commercial disputes, product liability suits, mass tort actions, consumer class actions, and bankruptcy litigation. His cross-border work includes arguing on behalf of clients located in the Philippines and Latin America, among other regions.



### Representative Matters

- Currently representing physicians in actions against multiple health insurers for their fraudulent reimbursement practices.
- Currently representing investors in FINRA arbitration proceedings against brokerage firms.
- Currently representing investors who lost money in the Bernie Madoff Ponzi scheme.
- Currently representing investors who lost money in the Medical Capital fraud.
- Successfully represented tens of thousands of overseas agricultural workers who sought recovery for injuries arising from exposure to pesticides banned in the United States. The litigation was brought in U.S. courts.
- Advised a class of Texas purchasers of workers' compensation insurance in overcharge litigation, yielding settlements refunding the illegal overcharges.
- Successfully represented thousands of users of the diet drug combination fen-phen in cases brought across the country.
- Represented plaintiffs and defendants in a variety of business litigation contexts, including breach of contract, fraud, business interference, preference, fraudulent transfer, non-compete clause enforcement, trade secret matters and fiduciary duty claims.
- Assisted with winning a \$112,119,005 jury verdict after a three-week trial in a case brought under civil RICO against defendants who conspired to extort money from our corporate client and then tamper with trial witnesses.
- Assisted with winning a substantial settlement for a class of purchasers of life insurance policies. The clients had been defrauded into their purchases by false representations about premium payments.
- Helped obtain the release of a wrongly convicted person in a habeas proceeding. The client's innocence was proven by DNA evidence.

**AJAMIE** | We work to win.<sup>®</sup>  
LLP  
Pennzoil Place - South Tower  
711 Louisiana, Suite 2150  
Houston, TX 77002  
713.860.1600 telephone  
713.860.1699 facsimile  
www.ajamie.com

(

## Education

University of Houston, J.D., 1989

University of Texas, B.A. in Plan II Honors Program, 1985

## Memberships and Affiliations

State Bar of Texas

Houston Bar Association

## Wallace A. Showman

### Of Counsel

Wallace A. Showman has successfully represented both investors and business clients in the areas of securities, derivative, ERISA, consumer, commercial, and FINRA arbitrations for more than 20 years. His securities work has involved major corporations as well as private investment funds and viatical frauds. He has lectured at NYU School of Law on securities litigation and at Fordham University School of Law on international human rights litigation, and he is a regular guest lecturer at Fordham on securities litigation.



Mr. Showman's pretrial and trial work has received praise from the federal bench, including "beautifully done" trial work in *In re ICN/Viratek Inc. Securities Litigation* (S.D.N.Y.), and "first-rate briefs" that "spoke beautifully" and were a "joy to read" in *In re Omnicom Group, Inc. Securities Litigation* (S.D.N.Y.).

Mr. Showman's community work has included his serving as chairman of the board of a prominent New York musical organization, the New York Festival of Song, and his service on the board of directors of his co-op, Castle Village, in upper Manhattan.

### Representative Matters

- Currently litigating claims against a Madoff feeder fund.
- Represented investors in numerous successful securities cases involving major companies including, among others, Cendant, Telxon Corp., ICN Pharmaceuticals, Marion Merrell Dow, Gulf Oil, and Kerkorian's Tracinda Corp.
- Represented investors in an ERISA action against one of the world's largest asset management companies.
- Represented investors in successful litigation involving \$100 million in looted assets of an investment company.
- Represented plaintiffs in successful Commerce Clause class action.
- Represented numerous investors in successful arbitrations against FINRA member firms.
- Represented investor in securing \$14.5 million NYSE arbitration award from Prudential Equity Group.
- Won dismissal of 21 consolidated class action lawsuits against former officers of a NYSE-listed client.
- Won summary judgment in favor of life insurance company in a coverage dispute.